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TOTAL PAGES (Including Cover Page) 4 DATE: November 13, 2006

TO: Examiner: John Roger Paradiso FROM: Paige A. Kitzinger, Reg. No. 45,219

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**NOTES:**

Inventor: Todd Siegel et al.  
Serial No.: 09/704,134  
Art Unit: 3721  
Filed: November 1, 2000  
Attorney Ref.: 084016.00012

**CERTIFICATION OF FACSIMILE TRANSMISSION**

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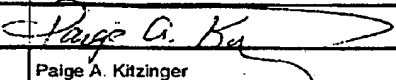
PTO/SB/R21 (09-04)

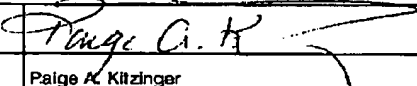
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|  |                        |                     |
|--|------------------------|---------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><small>(to be used for all correspondence after initial filing)</small> | Application Number     | 09/704,134          |
|  | Filing Date            | November 1, 2000    |
|  | First Named Inventor   | Todd Siegal         |
|  | Art Unit               | 3721                |
|  | Examiner Name          | John Roger Paradiso |
| Total Number of Pages in This Submission   | Attorney Docket Number | 084016.00012        |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Response to Notice of Non-Compliant Amendment |
| Remarks<br>The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No.50-3891  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | Rockey, Depke, Lyons & Kitzinger, LLC<br>233 S. Wacker Drive, Suite 5450, Chicago, IL 60606 |          |        |
| Signature                                  |          |          |        |
| Printed name                               | Paige A. Kitzinger  |          |        |
| Date                                       | 11/13/06  | Reg. No. | 45,219 |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |          |
|---|---|----------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |   |          |
| Signature   |  |          |
| Typed or printed name   | Paige A. Kitzinger  | Date     |
|   |   | 11/13/06 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/704,134 Confirmation No.: 4080  
Applicant: Todd Siegel et al.  
Filed: November 1, 2000  
TC/A.U.: 3721  
Examiner: John Roger Paradiso  
Docket No.: 084016.00012  
Customer No.: 33448

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

S I R:

Applicant has received a Notice of Non-Compliant Amendment relating to the above-referenced patent application which was mailed November 2, 2006. The Notice indicates that it is issued in response to an Amendment filed on October 19, 2006 and further indicates that the Amendment fails to provide a complete listing of all of the claims. Applicant notes that on October 17, 2006 it submitted Formal Drawings in connection with the application. Because such filing is not an Amendment, Applicant submits that a listing of the claims is not required. Applicant further notes that on August 21, 2006, it submitted an Amendment in Response to the Office Action of April 20, 2006 and that such submission included a complete listing of the claims. It is Applicant's belief that the Notice of Non-Compliant Amendment was issued in error and therefore Applicant respectfully requests that the Notice be withdrawn.

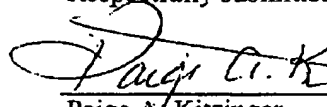
Appl. No. 09/704,137

Response to Notice of Non-Compliant Amendment of November 2, 2006

Respectfully submitted,

Date:

11/13/06



(Reg. #45,219)

Paige A. Kitzinger

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